[27th September 1956

(4) THE MADRAS AGRICULTURISTS' RELIEF (AMENDMENT) BILL, 1956 (L.A. BILL NO. 19 OF 1956).

* SRI V. BALAKRISHNAN : Mr. Speaker, Sir, I move—

"That the Madras Agriculturists' Relief (Amendment) Bill, 1956 (L.A. Bill No. 19 of 1956), be taken into consideration."

In commending my Bill for the consideration of this House, I wish to mention that all that I wish to say has been set out very clearly in the Statement of Objects and Reasons appended to the Bill. The Madras Agriculturists Relief Act, 1938, contained a proviso to Section 3, according to which the income-tax payees in India and in other parts of the world, namely, of any foreign Government, were excluded from the purview of this Act and the benefit of the Act. The Act was passed at a time when money could be freely remitted from other countries to this country. Then, in those countries Indians, merchants and others, in whatever avocation of life, were happy and prosperous. They were in an affluent position. They could send money to India. Subsequently, after 1947, when all these countries became self-governing and independent, they started promulgating their own laws to control the exchange of their countries. According to these subsequent laws, these Indians, even though they were prosperous, could not (and cannot) send money to India for the discharge of their debts even though they are agriculturists within the meaning of the main Act of 1938. In the subsequent Acts introduced by Rajaji's Government and again by Kamaraj's Government, very rightly and justly all references to income-tax payees of foreign Governments were excluded. My amending Bill proposes to bring the main Act in conformity with the spirit and scope of the subsequent Acts of 1953 and 1955 for the reasons already stated. I hope the Government will accept this Bill. Indians overseas are in a bad situation. The Nagarathar community in Burma had been dispossessed of their possessions. They have no money left to be brought to India. This is the position in regard to Indians trading in Ceylon, in Indo-China, in Siam and in all other foreign countries. It will be an act of great relief to all Indians, who are our own brethern, to extend the advantage given in the subsequent two Acts so that they may feel that the mother country is alive to their needs and difficulties, and that within the framework of the law of the land they are prepared to extend them all relief.

SRI E. L. RAGHAVA MUDALIAR : I second the motion, Sir.

MR. SPEAKER : Motion moved—

"That the Madras Agriculturists' Relief (Amendment) Bill, 1956 (L.A. Bill No. 19 of 1956), be taken into consideration."

The motion is before the House for discussion.

SRI V. R. KRISHNA AYYAR : Sir, I hope I will not be the home of lost causes this time in seconding this Bill.

MR. SPEAKER : It has been seconded by Sri E. L. Raghava Mudaliar.

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SRI V. R. KRISHNA AYYAR : Let me say I support the Bill. All that the Bill seeks to do is to see that persons who are not really prosperous and who are excluded from the benefits of a certain legislation should not be kept out of the Act of 1938 (Act IV of 1938) and subsequent legislations. A certain idea appears to have crept in that if they were paying profession tax or land tax they should be kept out of the pale of the benefits conferred by that Act. For this purpose they took in persons who were paying such taxes or those making a certain income even outside India. But, as the Mover of this Bill has rightly pointed out (and he must have had opportunities of knowing better and at close quarters the difficulties of such persons) those who are in foreign countries and who are not able to make any good income should not be treated as making the necessary income. If a man makes an income of Rs. 2,000, he may be deprived of the benefit that a poor agriculturist may get. But suppose a man got a good pick of Rs. 2,000 but now actually his income is only Rs. 25, then he must be treated as a man making only an income of Rs. 25. The real test of income should be to see how much of the income he is able to send home for the benefit of his wife and children or for his own savings. A man who goes to Malaya and who makes a large income may not like to remain in Malaya and buy an estate. He wants to come back home and use his riches for living a prosperous life here with the wealth he has made there. Or he may be one who is not able to send enough money home. The real test is how much he is able to make up. If the income is little or nil, if he is not able to remit to India a sufficiently large amount, then he may not be treated as making an income. We are concerned with the situation in India with reference to him and not with what he does academically or theoretically or even notionally in the far-off land where he has been making an income.

Therefore, I submit this amendment, though belated—it comes years and years after, it should have been brought in long, long ago because restrictions on remittances came in years ago—should be accepted. This belated amendment is a recognition of the reality and I hope will be accepted by the House. 11-40 a.m.

THE HON. SRI M. A. MANICKAVELU : The difficulties stated seem to be true. The Government will not stand in the way of the Bill being accepted.

MR. SPEAKER : The question is—

"That the Madras Agriculturists' Relief (Amendment) Bill, 1956 (L.A. Bill No. 19 of 1956), be taken into consideration."

The motion was put and carried and the Bill was taken into consideration.

Clauses 2 and 1 and the Preamble were put and carried.

* SRI V. BALAKRISHNAN : Mr. Speaker, Sir, I beg to move—

"That the Madras Agriculturists' Relief (Amendment) Bill, 1956 (L.A. Bill No. 19 of 1956), be passed."

In moving that the Bill be passed into law, I wish to thank the Hon. Minister for Revenue for coming to the assistance of the non-official Members and for having rescued them from a very awkward situation because the previous Bills were smothered one after another and even my hon. Friend Sri Krishna Ayyar was diffident about giving his support to this Bill. I thank also the hon. Members for having accepted the Bill.

MR. SPEAKER : Motion moved—

" That the Madras Agriculturists' Relief (Amendment) Bill, 1956 (L.A. Bill No. 19 of 1956), be passed."

SRI P. RAMAMURTHI : இந்த மசோதாவை நிறைவேற்றும்படியான சமயத்தில் சர்க்காருக்கு ஒரே ஒரு வார்த்தையைச் சொல்ல விரும்புகிறேன். கனம் ஸ்ரீ மாணிக்கவேலு நாயகர் அவர்கள் பேசும்போது " இந்த மசோதாவை நிறைவேற்றுவதற்கு சர்க்கார் குறுக்கே நிற்காது " என்பதாகச் சொன்னார்கள். இப்படிச் சொல்லும்போது எத்தகைய மனோபாவம் வெளிப்படுகிறது ? " எந்தத் தனி நபர் மசோதாவுக்கும் குறுக்கே நிற்க சர்க்காருக்கு அதிகாரம் இருக்கிறது. ஆனாலும் இதற்குக் குறுக்கே சர்க்கார் நிற்காது " எனத் தன் கைத்தடியை எடுத்துக் காட்டிவிட்டு வைப்பதுபோல் இருக்கிறது. இந்தக் கண்ணோட்டம் சரியல்ல. ஆகவே " சர்க்கார் குறுக்கே நிற்காது " எனச் சொல்வதற்குப் பதிலாக " சர்க்கார் இந்த மசோதாவை பூர்ண சந்தோஷத்துடன் வரவேற்கிறது " என்றாவது கடைசியில் கனம் மந்திரி அவர்கள் ஒரு வார்த்தை சொல்லவேண்டுமென்று கேட்டுக்கொள்கிறேன்.

THE HON. SRI M. A. MANICKAVELU : இந்த மசோதாவைப் பிரேரித்தவர் கனம் அங்கத்தினர் ஆனகையால் அவரேதான் இந்த மசோதாவை நடத்திக்கொண்டு போகவேண்டும். அப்படி நடத்திக்கொண்டு போகும்போது சர்க்கார் குறுக்கே நிற்காது எனச் சொல்வதுதான் பொறுத்தமாக இருக்குமென்று நான் நினைக்கிறேன், வேறு ஒன்றும் இல்லை.

MR. SPEAKER : The question is :—

" That the Madras Agriculturists' Relief (Amendment) Bill, 1956 (L.A. Bill No. 19 of 1956), be passed."

The motion was put and carried and the Bill was passed.

(5) THE MADRAS INDEBTED AGRICULTURISTS (REPAYMENT OF DEBTS) BILL, 1956.

SRI N. K. PALANISAMY : Mr. Speaker, Sir, I move—

" For leave to introduce the Madras Indebted Agriculturists (Repayment of Debts Amendment) Bill, 1956."

SRI T. C. NARAYANAN NAMBIAR : I second it.

SRI. N. K. PALANISAMY : கனம் சபாநாயகர் அவர்களே. . .

MR. SPEAKER : This is only a motion for leave to introduce the Bill. I thought it was really a Bill moved for consideration. Has the Hon. Minister for Revenue anything to say?

THE HON. SRI M. A. MANICKAVELU : It is only formal.

MR. SPEAKER : The question is—

" That leave be granted for the introduction of the Madras Indebted Agriculturists (Repayment of Debts Amendment) Bill, 1956."

The motion was put and carried and the Bill was introduced.